



Eric Gonzalez
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February 2, 2021

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: MARK SCARLATELLI

MOS TAX: 937502

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

ON APRIL 14, 2015, MOS SCARLATELLI, SHIELD NUMBER 9053, WHO WAS ASSIGNED TO A COMMAND IN STATEN ISLAND AT THE TIME, ARRESTED A FEMALE INDIVIDUAL ON FELONY DRUG CHARGES FOLLOWING THE EXECUTION OF A SEARCH WARRANT FOR THE INDIVIDUAL'S HOME. DURING A DEBRIEFING, MOS SCARLATELLI TRIED TO PERSUADE THE INDIVIDUAL TO BECOME A CONFIDENTIAL INFORMANT. SHE DECLINED. OVER THE NEXT FEW WEEKS, AND DESPITE BEING INSTRUCTED BY THE PROSECUTOR NOT TO CONTACT THE INDIVIDUAL ABOUT HER CASE BECAUSE SHE WAS REPRESENTED BY COUNSEL, MOS SCARLATELLI REACHED OUT TO THE INDIVIDUAL VIA TEXT MESSAGES. MOS SCARLATELLI AND THE INDIVIDUAL EXCHANGED APPROXIMATELY 400 TEXTS. THE MAJORITY OF THE MESSAGES CENTERED AROUND DISCUSSING THE INDIVIDUAL'S CRIMINAL CASE (I.E., DISCUSSING, AMONG OTHER THINGS, SIGNING HER UP AS A CONFIDENTIAL INFORMANT, VARIOUS ASPECTS OF A POTENTIAL PLEA, HER LAWYER, ETC.). IN SOME TEXT MESSAGES, THE CONVERSATIONS BETWEEN THE MOS AND THE INDIVIDUAL TOOK ON A SEXUAL TONE. ON MAY 22, 2015, THE INDIVIDUAL, IN THE PRESENCE OF HER ATTORNEY, WAS INTERVIEWED BY OFFICERS WITH THE NYPD'S INTERNAL AFFAIRS BUREAU. THE INDIVIDUAL CONFIRMED THAT TEXTS WERE EXCHANGED BETWEEN MOS SCARLATELLI AND HERSELF. SHE FELT THAT AT A CERTAIN POINT THE TEXTS CEASED BEING PROFESSIONAL. IN JUNE 2015 THE STATEN ISLAND CRIMINAL CASE WAS DISMISSED IN THE INTEREST OF JUSTICE.

AT A LATER PATROL GUIDELINES HEARING, MOS SCARLATELLI ADMITTED TO PURSUING A RELATIONSHIP WITH THE INDIVIDUAL, AND EVEN ACTING A LITTLE "FLIRTY," IN ORDER TO CULTIVATE HER AS A CONFIDENTIAL INFORMANT. HE MAINTAINED HIS INTENTIONS WERE "ONLY BUSINESS."

AS A RESULT OF THE INCIDENT, MOS SCARLATELLI ENTERED A PLEA OF GUILTY TO THE FOLLOWING DEPARTMENT CHARGES ARISING OUT OF THE ABOVE-MENTIONED INCIDENT, COVERING ALLEGATIONS THAT OCCURRED ON OR ABOUT AND BETWEEN APRIL 21, 2015 AND MAY 19, 2015 WITHIN THE CONFINES OF RICHMOND COUNTY WHILE THE MOS WAS ASSIGNED TO NARCOTICS BOROUGH STATEN ISLAND:

1. MOS SCARLATELLI DID ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE DEPARTMENT, TO WIT: SAID DETECTIVE CONTACTED AND SENT TEXT MESSAGES TO AN INDIVIDUAL HE PLACED UNDER ARREST.

2. MOS SCARLATELLI DID WRONGFULLY AND WITHOUT JUST CAUSE PREVENT OR INTERFERE WITH AN OFFICIAL DEPARTMENT INVESTIGATION, TO WIT: SAID MOS DISCUSSED THE FACTS OF A CRIMINAL CASE WITH AN INDIVIDUAL HE PLACED UNDER ARREST, RESULTING IN THE DISMISSAL OF THE CRIMINAL CASE.
3. MOS SCARLATELLI DID KNOWINGLY ASSOCIATE WITH A PERSON REASONABLY BELIEVED TO BE ENGAGED IN, LIKELY TO ENGAGE IN, OR TO HAVE ENGAGED IN CRIMINAL ACTIVITIES.

ACTION TAKEN: MOS SCARLATELLI WAS PLACED ON DISMISSAL PROBATION FOR ONE (1) YEAR AND FORFEITED THIRTY (30) VACATION DAYS. MOST SCARLATELLI WAS ALSO TRANSFERRED OUT OF STATEN ISLAND AND HIS TITLE WAS CHANGED FROM DETECTIVE INVESTIGATOR TO DETECTIVE SPECIALIST.

Disclosure # 2:

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT. NOTE, THE DISPOSITION INFORMATION MAY NOT BE CURRENT:

1. DARIANA TAYLOR V. CITY OF NEW YORK, ET AL, 11-CV-4471, FILED IN THE EASTERN DISTRICT OF NEW YORK.
2. MARLENE BEDEAU V. CITY OF NEW YORK, ET AL, 11-CV-2697, FILED IN THE EASTERN DISTRICT OF NEW YORK.
3. NICHOLAS SARNICOLA V. CITY OF NEW YORK, ET AL, 14757/2013 FILED IN KINGS COUNTY SUPREME COURT.
4. HASSAM KHAN V. CITY OF NEW YORK, ET AL, 14-CV-06875, FILED IN THE EASTERN DISTRICT OF NEW YORK.
5. MATTHEW ITKIN V. CITY OF NEW YORK, ET AL, 150415/2015, FILED IN RICHMOND COUNTY SUPREME COURT.

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 3:

CCRB CASE: 201312128

REPORT DATE: 12/31/2013

INCIDENT DATE: 12/26/2013

CCRB SUBSTANTIATED ALLEGATION(S):

1. FORCE - PHYSICAL FORCE

NYPD DISPOSITION: ADMINISTRATIVE PROSECUTION UNIT NOT GUILTY, NO PENALTY

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